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Attorney for Plaintiffs Vicki Flynn, individually, and as Personal Representative of the Estate of Jenee Nicole Hammel, and K.M., by and through his Guardian ad litem, Daniel Marciano

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

<p><i>Ryan Hammel and Jamie Hammel,</i></p> <p>Plaintiffs,</p> <p>v.</p> <p><i>Tri-County Metropolitan Transportation District of Oregon (Tri-Met),</i> a political subdivision of the State of Oregon, and</p> <p><i>Sandi L. Day,</i> an individual;</p> <p>Defendants.</p>	<p>Case No. 3:12-cv-00706-MO</p> <p>(Consolidated – Lead)</p>
<p><i>David B. Sale,</i> personal representative of the Estate of Danielle Nicole Sale, an individual;</p> <p><i>David B. Sale,</i> an individual; and <i>Jeanette L. Sale,</i> an individual;</p> <p>Plaintiffs,</p> <p>v.</p> <p><i>Tri-Met,</i> assumed business name of Tri-County Metropolitan Transportation District of Oregon, a municipal corporation; and <i>Sandi L. Day,</i> an individual;</p> <p>Defendants.</p>	<p>Case No. 3:12-cv-00708-MO</p> <p>(Consolidated)</p>

<p><i>Robert Erik Gittings</i>, an individual;</p> <p>Plaintiff,</p> <p>v.</p> <p><i>Trimet</i>, assumed business name of Tri-County Metropolitan Transportation District of Oregon, a municipal corporation; and</p> <p><i>Sandi L. Day</i>, an individual;</p> <p>Defendants.</p>	<p>Case No. 3:12-cv-00709-MO</p> <p>(Consolidated)</p>
<p><i>Vicki Flynn</i>, individually and in her capacity as Personal Representative for the Estate of Jenee Hammel, and <i>K.M.</i>, by and through his Guardian ad Litem, Daniel Marciano,</p> <p>Plaintiffs,</p> <p>v.</p> <p><i>Tri-Met</i>, assumed business name of Tri-County Metropolitan Transportation District of Oregon, a municipal corporation; and <i>Sandi L. Day</i>, an individual,</p> <p>Defendants.</p>	<p>Case No. 3:12-cv-00710-MO</p> <p>(Consolidated)</p> <p>Plaintiffs Flynn's and Marciano's Notice of Appeal</p>

Notice is hereby given that plaintiffs Vicki Flynn, individually and in her capacity as Personal Representative for the Estate of Jenee Hammel, and K.M., by and through his Guardian ad Litem, Daniel Marciano, in USDC Case No. 3:12-cv-00710-MO, hereby appeal to the United States Court of Appeals for the Ninth Circuit from the final Judgment dismissing this consolidated action with prejudice, and from the Opinion and Order granting defendants' motions for summary judgment and denying plaintiffs' motions for partial summary judgment, entered on June 28, 2013 by the Honorable Michael W. Mosman.

Dated this 11th day of July, 2013.

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/s Hala J. Gores
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Representation Statement

The following attorneys represent the following parties in this action:

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Page 4- Plaintiffs Flynn's and Marciano's Notice of Appeal

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Plaintiffs Flynn's and Marciano's Notice of Appeal by filing it on the 11th day of July, 2013 with the ECF filing system for the District of Oregon, which will electronically serve the following attorneys with this document:

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